(1) (3) C.F 100

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(CHHATTISGARH)

WRIT PETITION NO. 1933 OF 2003

PETITIONER : U.P.S.Bhadoria,son of B.Bhadoriya aged about 50 years, Assistant Sub Inspector of Police, Police Station-Pithora, District-Mahasamund,(C.G.)

V E R S U S

RESPONDENTS : 1. State of Chhattisgarh, through Secretary, Department of Home and Police, Affairs, at Secretriat,D.K.S.Bhawan, Manralay,Raipur,District-Raipur, (Chhattisgarh).

: 2. Director General of Police, (C.G.) Police Head Quarter,Raipur, District-Raipur,(C.G.)

: 3. Superintendent of Police, Mahasamund, District-Mahasamund, (C.G.)

P. R. No. ... Presented by Shri Pankaj Singh dated ... 9.6.03

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(23)

आदेश पत्रक W.P. No. 1933/2003

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

5-7-2003

Shri Malay Kumar Bhadur, learned counsel for the petitioner.

Miss Sharmila Singhai, learned Dy. Govt. Advocate, for the respondents.

The petitioner by this writ petition seeks to challenge the impugned order Annexure P/1 dated 30-5-2003, by which the Director General of Police, has transferred the petitioner from District Mahasamund to District Rajnandgaon. The grievance of the petitioner is that the petitioner was posted at Basna from where he was transferred to Bagbahra vide order dated 1-11-2002. Thereafter vide order dated 3-2-2003 he was transferred from Bagbahra to Pithora and now he has been transferred from Pithora to District Police Force, Rajnandgaon, vide the impugned order. Therefore, this order be stayed.

I have heard learned counsel for the parties.

Learned counsel for the petitioner submitted that the petitioner has been transferred within a very short span of time and present is the third transfer since 1-11-2002.

On the other hand learned Dy. Govt. Advocate, argued that the earlier transfers and postings of the petitioner were within the same district and now the petitioner has been transferred by the Director

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(24)

आदेश पत्रक

W.P. 1933/2003

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

General of Police in other district and the petitioner was in the Mahasamund District since 1999 and thereby he has already completed more than 4½ years in a district ~~Headquarter~~ thus a sufficient time was allowed to the petitioner to remain in one district. Therefore, there is no merit in the petition.

In view of the submissions made by learned counsel for the respondents, learned counsel for the petitioner very fairly admitted by filing an application that the petitioner was posted in Raipur District from 1989 to 1998 and since the year 1998 till date the petitioner remained posted in the District of Mahasamund and thereby he has completed more than 4½ years which is sufficient time for any public servant to remain at one place and now he has been transferred to Rajnandgaon District.

Having heard learned counsel for the parties and having considered the facts and circumstances of the case, I do not find any mala fide or bias in transferring the petitioner from one district to another district that too after completing 4½ years. Moreover, the petitioner has not been able to substantiate his statement that the impugned order is arbitrary and illegal as also he has not been able to explain how it is arbitrary. & Malafide

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

W.P. 1933 / 2003

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —3—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	In view of the above, I do not find any force in this petition which is liable to be and is rejected. Consequently M.(W).P.No.1748/2003 and I.A.Nos. 5764/2003 & 5895/2003 stands disposed of. Sd/- L.C.BHADOO Judge	

Gowri

[पीछे देखिये